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11 *Organizations*

12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA

14 EPIC GAMES, INC.,

15 *Plaintiff/Counter-Defendant,*

16 v.

17 APPLE INC.,

18 *Defendant/Counter-Claimant.*

Case No. 4:20-cv-05640

**DECLARATION OF KATIE  
TOWNSEND IN SUPPORT OF  
UNOPPOSED ADMINISTRATIVE  
MOTION OF THE REPORTERS  
COMMITTEE FOR FREEDOM OF  
THE PRESS AND 18 MEDIA  
ORGANIZATIONS FOR TRIAL  
ACCESS**

Judge: Hon. Yvonne Gonzalez Rogers

1 I, Katie Townsend, declare as follows:

2 1. I am the Legal Director at the Reporters Committee for Freedom of the  
3 Press (the “Reporters Committee” or “RCFP”), an unincorporated nonprofit  
4 association located in Washington, D.C., a position I have held since May 2018.  
5 Prior to becoming RCFP’s Legal Director, I was its Litigation Director; I held that  
6 position from September 2014 to May 2018.

7 2. I am an attorney and counsel for the Reporters Committee and 18 news  
8 media organizations (the “Media Coalition”) in this matter. I am a member in good  
9 standing of the Bar of the State of California and am admitted to practice before this  
10 Court. I make this declaration in support of the Unopposed Administrative Motion of  
11 the Reporters Committee and 18 Media Organizations for Trial Access, filed herewith  
12 (the “Motion”). I have personal knowledge of the matters stated in this declaration.

13 3. On April 15, 2021, I sent an e-mail to counsel for Epic Games, Inc.  
14 (“Epic”) and Apple Inc. (“Apple”) indicating that the Media Coalition planned to file  
15 an administrative motion seeking press access to the bench trial scheduled to  
16 commence on May 3, 2021. My e-mail described the specific relief requested in the  
17 Motion filed herewith.

18 4. On April 15, 2021, counsel for Epic informed me that Epic took no  
19 position as to the Motion.

20 5. On April 15, 2021, counsel for Apple informed me that Apple “supports  
21 and embraces the Reporters Committee’s proposal for additional measures to provide  
22 the press and public greater access to the trial and exhibits, to the extent possible  
23 consistent with the Court’s prior rulings.” Apple’s counsel further stated that “Apple  
24 supports your request to have a pool reporter in the courtroom, as long as that does  
25 not reduce the number of lawyers permitted in the courtroom. Apple further supports  
26 your request that the Court make the exhibits publicly available once they are  
27 admitted into evidence.”

6. As I indicated to counsel for Epic and Apple in my e-mail of April 15, 2021, to the extent the Court agrees to provide any or all of the additional access the Media Coalition is requesting pursuant to its Motion, counsel for the Media Coalition will work with the parties to the extent needed to facilitate that access with minimal disruption to the parties and to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 16<sup>th</sup> Day of April, 2021, in Washington, D.C.

/s/ Katie Townsend

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Katie Townsend